

Summons in a Civil Action (Rev 11/97)

United States District Court
SOUTHERN DISTRICT OF CALIFORNIA

TIMOTHY L. BACINO, an individual; and
SUSANNE V. BACINO, an individual

vs

USAA CASUALTY INSURANCE COMPANY; and DOES 1
through 10, inclusive

SUMMONS IN A CIVIL ACTION

Case No.

'08 CV 1239 DMS RBB

TO: (Name and Address of Defendant)

USAA CASUALTY INSURANCE COMPANY

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and serve upon
PLAINTIFF'S ATTORNEY

Tanya M. Schierling (SBN 206984)
SOLOMON WARD SEIDENWURM & SMITH, LLP
401 B Street, Suite 1200
San Diego, CA 92101
(619) 231-0303

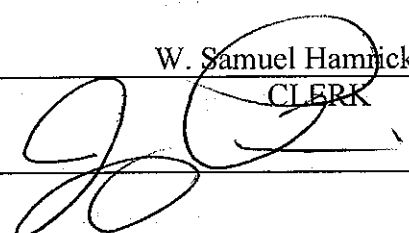
An answer to the complaint which is herewith served upon you, within 20 days after
service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by
default will be taken against you for the relief demanded in the complaint.

W. Samuel Hammick, Jr.

CLERK

JUL 10 2008

DATE

By  , Deputy Clerk

Summons in a Civil Action

SOLOMON, WARD, SEIDENWURM & SMITH
401 "B" STREET, SUITE 1200
SAN DIEGO CA 92101
619-231-0303

Ref. No. : 0408785-01
Atty. File No.: 65029.002

UNITED STATES DISTRICT COURT, SO. DISTRICT OF CA
SOUTHERN JUDICIAL DISTRICT

PLAINTIFF : BACINO
DEFENDANT : USAA CASUALTY INSURANCE COMPANY

Case No.: 08 CV 1239 DMS RBB
PROOF OF SERVICE

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of the SUMMONS; CIVIL COVER SHEET; COMPLAINT
3. a. Party served : USAA CAUSALTY INSURANCE COMPANY
AUTHORIZED AGENT FOR SERVICE: RICHARD A. FOX
b. Person served : SHANNON REEVES, LEGAL ASSISTANT
(PERSON APPARENTLY IN CHARGE)
4. Address where the party was served 2241 HARVARD ST.
SACRAMENTO, CA 95815 (Business)
5. I served the party
b. **by substituted service.** On July 11, 2008 at 10:15 AM I left the documents listed in item 2
with or in the presence of SHANNON REEVES, LEGAL ASSISTANT,
PERSON APPARENTLY IN CHARGE
(1) **(business)** a person at least 18 years of age apparently in charge at the office or usual place of business
of the person to be served. I informed him or her of the general nature of the papers.
(4) a **declaration of mailing** is attached.
(5) I attach a **declaration of diligence** stating actions taken first to attempt personal service.
6. The "Notice to the person served" (on the summons) was completed as follows:
c. on behalf of: USAA CAUSALTY INSURANCE COMPANY
AUTHORIZED AGENT FOR SERVICE: RICHARD A. FOX
under [xx] CCP 416.10 (corporation)
7. **Person who served papers**
a. PATRICK HARRIS
b. KNOX ATTORNEY SERVICE, INC.
2250 Fourth Avenue
San Diego, California 92101
c. 619-233-9700
d. Fee for service: \$119.25
e. I am:
(3) a registered California process server
(i) an employee
(ii) Registration No. 152
(iii) County: San Diego

8. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: July 31, 2008

Signature: _____

PATRICK HARRIS

SOLOMON, WARD, SEIDENWURM & SMITH
401 "B" STREET, SUITE 1200
SAN DIEGO CA 92101
619-231-0303

Ref. No. : 0408785-01
Atty. File No.: 65029.002

UNITED STATES DISTRICT COURT, SO. DISTRICT OF CA
SOUTHERN JUDICIAL DISTRICT

PLAINTIFF : BACINO
DEFENDANT : USAA CASUALTY INSURANCE COMPANY

Case No.: 08 CV 1239 DMS RBB
**DECLARATION REGARDING
DILIGENCE**

I received the within process on 07/10/08. After due and diligent effort I have been unable to effect personal service on the within named party at the following address(es):

Party served USAA CAUSALTY INSURANCE COMPANY
AUTHORIZED AGENT FOR SERVICE: RICHARD A. FOX

Business : 2241 HARVARD ST., SACRAMENTO CA 95815

Attempts to effect service are as follows:

07/11/08 10:15A Attempted service-effected substitute service

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: July 31, 2008

Signature: _____


PATRICK HARRIS

SOLOMON, WARD, SEIDENWURM & SMITH
401 "B" STREET, SUITE 1200
SAN DIEGO CA 92101
619-231-0303

Ref. No. : 0408785-01
Atty. File No. : 65029.002

UNITED STATES DISTRICT COURT, SO. DISTRICT OF CA
SOUTHERN JUDICIAL DISTRICT

PLAINTIFF : BACINO
DEFENDANT : USAA CASUALTY INSURANCE COMPANY

Case No.: 08 CV 1239 DMS RBB
DECLARATION OF MAILING

RE: USAA CAUSALTY INSURANCE COMPANY
AUTHORIZED AGENT FOR SERVICE: RICHARD A. FOX

I am a citizen of the United States and am employed in the County of SAN DIEGO, State of California. I am over 18 years of age and not a party to this action. My business address is
2250 FOURTH AVENUE, SAN DIEGO CA 92101

On July 25, 2008 I served the within documents:

SUMMONS; CIVIL COVER SHEET; COMPLAINT

On the party in said action, by mailing a true copy thereof (by first-class mail, postage prepaid), enclosed in a sealed envelope at the mail collection site at my place of employment, addressed to the following:

USAA CAUSALTY INSURANCE COMPANY
AUTHORIZED AGENT FOR SERVICE: RICHARD A. FOX
2241 HARVARD ST.
SACRAMENTO, CA 95815

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on July 25, 2008 at SAN DIEGO, California.

Signature: _____


ROBERT E. JONES

DECLARATION OF MAILING